

JUN - 7 2005

DOCKET NO. 1456

FILED  
CLERK'S OFFICE.**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE  
LITIGATION**

*The County of Fulton v. Abbott Laboratories, Inc., et al.*, N.D. New York,  
C.A. No. 6:05-519

*The County of Putnam v. Abbott Laboratories, Inc., et al.*, S.D. New York,  
C.A. No. 1:05-4740

*The County of Genesee v. Abbott Laboratories, Inc., et al.*, W.D. New York,  
C.A. No. 1:05-6206

*County of Steuben v. Abbott Laboratories, Inc., et al.*, W.D. New York,  
C.A. No. 6:05-6223

**CONDITIONAL TRANSFER ORDER (CTO-22)**

On April 30, 2002, the Panel transferred 16 civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 54 additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Patti B. Saris.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saris.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of April 30, 2002, 201 F.Supp.2d 1378 (J.P.M.L. 2002), and, with the consent of that court, assigned to the Honorable Patti B. Saris.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be

continued until further order of the Panel.  
Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

JUN 23 2005

FOR THE PANEL:

Michael J. Beck

Michael J. Beck  
Clerk of the Panel

JWF, STAYED

**U.S. DISTRICT COURT**  
**WESTERN DISTRICT OF NEW YORK [LIVE] (Rochester)**  
**CIVIL DOCKET FOR CASE #: 6:05-cv-06223-MAT**

County of Steuben v. Abbott Laboratories, Inc. et al  
Assigned to: Hon. Michael A. Telesca  
Related Case: [6:05-cv-06138-MAT](#)  
Cause: 8:287 Petition to Enforce INS Subpoena

Date Filed: 05/06/2005  
Jury Demand: Plaintiff  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff****County of Steuben**represented by **Joanne M. Cicala**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****Abbott Laboratories, Inc.****Defendant****Alcon Laboratories, Inc.****Defendant****Agouran Pharmaceuticals, Inc.****Defendant****Allergan. Inc.**

Date Filed	#	Docket Text
05/06/2005	<a href="#">1</a>	COMPLAINT against all defendants ( Filing fee \$ 250 receipt number 67613.), filed by County of Steuben. (Attachments: # <a href="#">1</a> part 2 of comp.# <a href="#">2</a> part 3 of comp.# <a href="#">3</a> Exhibit A# <a href="#">4</a> Exhibit B# <a href="#">5</a> Exhibit C# <a href="#">6</a> Exhibit D# <a href="#">7</a> Exhibit E)(TO, ) (Entered: 05/09/2005)

06/01/2005	<a href="#">2</a>	ORDER STAYING CASE pending the resolution of the transfer issue by the panel on multidistrict litigation. Signed by Hon. Michael A. Telesca on 5/31/05. (TO, ) (Entered: 06/02/2005)
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